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ATTORNEY DOCKET No.: RIC-98-047 (977-015)

Response
9/26/03
Wincher

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Gallant
Serial No: 09/370,504
Filing Date: 08/09/99
Title: METHOD OF AND SYSTEM
FOR PROVIDING QUALITY OF
SERVICE IN IP TELEPHONY

Commissioner for Patents
Alexandria, VA 22313-1450

Group Art Unit: 2664

Examiner: Tran, Phuc

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Technology Center 2600

RESPONSE

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 4, 2003 under "EXPRESS MAIL" MAILING LABEL NUMBER EV288034687US.

Lynn L. Pond
Lynn L. Pond

RESPONSE TO THE EXAMINER'S OFFICE ACTION

In response to the Office Action dated 6/4/03, designated as Paper No. 18 in the above-captioned application, please enter the following Remarks as follows:

Remarks

In view of the following remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 1-24 remain in this application.

1. Protracted Examination

MPEP 707.02 states: "The supervisory patent examiners should impress their assistants with the fact that the shortest path to the final disposition of an application is by finding the best references on the first search and carefully applying them." **MPEP 706** also states that the goal of examination is to articulate any rejection early in the process.

The latest Office Action is the third non-final Office Action received by the Applicants since April, 12 2002. The independent claims have been on file since April 12, 2002. After two office actions, the applicant filed an RCE in an honest attempt to work with the Examiner. Subsequently, there have been three more non-final office actions and their corresponding responses. In addition to a new prior art rejection, the Examiner now asserts